

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-3052

September Term, 2007

05cr00187-01

United States of America,
Appellee

v.

Mark L. Callaham,
Appellant

MANDATE		Filed On:
Pursuant to the provisions of Fed. R. App. Pro. 41(a)		
ISSUED:	11/30/07	
BY:	[Signature] Deputy Clerk	
ATTACHED:	<input type="checkbox"/> Amending Order <input type="checkbox"/> Opinion <input type="checkbox"/> Order on Costs	

UNITED STATES COURT OF APPEALS FOR DISTRICT OF COLUMBIA CIRCUIT	
FILED	OCT 10 2007
CLERK	

BEFORE: Henderson, Tatel, and Kavanaugh, Circuit Judges

FILED

DEC 13 2007

ORDER

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Upon consideration of appellant's brief, and the motion for summary affirmance, and the response thereto; it is

ORDERED that the motion for summary affirmance be granted. The merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). Appellant's counsel failed to adequately present the claim for review by making nothing more than a conclusory assertion. See S.E.C. v. Banner Fund Intern., 211 F.3d 602, 613-614 (D.C. Cir. 2000). Therefore appellant has failed to demonstrate that the district court's credibility determination was clearly erroneous. See United States v. Broadie, 452 F.3d 875, 880 (D.C. Cir. 2006).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold the issuance of the mandate herein until seven days after the resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

KLH

W
BK

A True copy:

United States Court of Appeals
for the District of Columbia Circuit
By: [Signature] Deputy Clerk